

Mr. AC

IN THE UNITED STATES
DISTRICT COURT FOR
THE NORTHERN DISTRICT
OF OKLAHOMA

FILED

JUL 09 2015

Phil Lombardi, Clerk
U.S. DISTRICT COURT

JERRY LEON MASON,)
petitioner,)
v.)

CASE NO.

15-CV-167-GKF-TLW

TRACY MCCOLLUM,)
warden,)
respondent.)

☒ Mail ☐ No Cert Svc ☐ No Orig Sign
☐ E/J ☐ C/MJ ☐ C/Ret'd ☐ No Env
☐ No Cpy's ☒ No Env/Cpy's ☐ O/J ☐ O/MJ

Reply To Response To Amended
petition FOR WRIT OF Habeas
CORPUS.

Propositions can not~~t~~ be denied ~~for~~ and
appeal out of time because his he is
innocent of the crime, petitioner was
granted certificate of appeal number
C-2014-576 on August 14, 2014 and
Now as for This court to assume
jurisdiction" from the Oklahoma court
of criminal appeals, his ability is his
lawyer decision not his petitioner
argues time to determine whether to
appeal..." was his lawyer's, fault this
indecision made by Brian Rayl with the
public defender's office. sworn in
open court, petitioner was not advised
of his appeal rights this court fail to
present any genuine material fact with
presentation of witnesses and the
taking of testimony.

Johnson v. State, 1991 OK CR 124, 823

P. 2d 310. Therefore the records the
Court has stated should be moot.

Mr. Mason, Appellant counsel filed his
notice of intent to appeal on June
25, 2014 on case number, C-2014-576

His proposition Mason's attorney failure
to timely file his notice of appeal in
the District within ten (10) days required
by this court's Rule 8.8(c), Rules of
the Oklahoma Court of Criminal Appeals,
Title 22, Ch. 18, App. (2014). Filing of the
notice of appeal is jurisdictional,
petitioner was denied an appeal

Through ~~no~~ no fault of his own,
and now seek the appropriate relief
of this court see Rule 2.1(E)(1),

Petitioner's Request for extraordinary
Relief, on behalf of his appeal in
This case, was dismissed without
prejudice and all legal issues
may be raised may be sought and
granted Appeal Cindy Danner,
violated mason's right to
appeal and properly perfected his
intent to appeal with ten days
from denial of the motion to withdraw
Plea is Jurisdictional. see Rule 4.26(D)
Rules of the Court of Criminal Appeals,
22 O.S. 2011, Ch. 18, App. Case No.
CF-2012-4414, Presumption of
Innocence Pursuant to 22 O.S. § 39
Oklahoma Open Records Act, 51 O.S.
24A.1.

There is new ~~and~~ evidence supporting
defendant is actual innocence. And
petitioner should not be procedurally barred
from challenging his conviction Schlup,
513 U.S. at 322. and A procedural bar
will result in a ~~and~~ fundamental
mis carriage of justice and like in
Coleman, 501 U.S. at 748. Constitutional
violation caused the conviction of
one innocent of the crime." McCleskey v.
Zant, 111 S. Ct. at 1470, 1475; ~~McCleskey v.~~
Murray v. Carrier, 477 U.S. at 496.
106 S. ~~Ct.~~ Ct. at 2649-50 petitioner
claims ineffective assistance of counsel/
document ~~and~~ necessary for an adjudication
Transcripts are relevant in this matter
Exhibit 6 - order recommending petitioner
be denied ~~and~~ an appeal out of time is
moot.

The issues are timely propositions was
not adjudicated on the merits by the
State court under constitutional
Law: see (Exhibit (1) case No.

Exhibit (2) case No
~~CF-2012-4414~~

15-CV-167-GKF-TLW

I certify that on the date of
~~2015~~ 7-6, year 15 a copy
of reply motion was placed
in United States mail addressed to:

Jay Marshall
7.6.15

**IN THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF OKLAHOMA**

JERRY LEON MASON,

Petitioner,

v.

TRACY MCCOLLUM, Warden,

Respondent.

)
)
)
)
)
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Case No. 15-CV-167-GKF-TLW

RESPONSE TO AMENDED PETITION FOR WRIT OF HABEAS CORPUS

The Attorney General of the State of Oklahoma, E. Scott Pruitt, appearing on behalf of the above-named Respondent, in response to the Amended Petition for Writ of Habeas Corpus on file herein shows the Court as follows:

1. Petitioner, Jerry Leon Mason, an inmate in the custody of the Oklahoma Department of Corrections, appearing without counsel, has filed with this Court an amended petition seeking federal habeas corpus relief.

2. Petitioner entered a plea of no-contest to First Degree Burglary, two counts of First Degree Rape by Force and Fear, and Forcible Sodomy in the District Court of Tulsa County, Case No. CF-2012-4414 (Exhibit 1- Plea of Guilty Summary of Facts). Petitioner moved to withdraw his plea, a hearing was held, and the request was denied (Exhibit 2- Docket Sheet). Petitioner through counsel appealed the denial of the motion to withdraw plea to the Oklahoma Court of Criminal Appeals, Case No. C-14-576. Petitioner's appellate counsel moved to dismiss the appeal for lack of jurisdiction (Exhibit 3- Motion to Dismiss Appeal for Lack of Jurisdiction). The Court of Criminal Appeals issued an order and dismissed the appeal (Exhibit 4- Order Dismissing Appeal). Petitioner sought an appeal out of time through an application for post-conviction relief (Exhibit 5-

Application For Post-Conviction Relief). The district court denied the request for an appeal out of time (Exhibit 6- Order Recommending Petitioner Be Denied An Appeal Out Of Time). Petitioner did not appeal that denial of relief to the Oklahoma Court of Criminal Appeals.

3. The issues raised are timely and procedurally barred.

4. As Petitioner's propositions are procedurally barred, they were not adjudicated on the merits by the state court however, no evidentiary hearing is required as Petitioner has failed to show that a factual basis for the claims was not made in the state court, that the claims rely on a new rule of constitutional law made retroactive by the Supreme Court of the United States or a factual predicate could not have been discovered in the district court, and that the facts underlying the claim would be sufficient to establish by clear and convincing evidence that but for constitutional error, no reasonable fact finder would have found the applicant guilty of the underlying offense. 28 U.S.C. § 2254(e)(2).

5. Respondent has attached the relevant documents necessary for an adjudication of this matter as exhibits. There are no relevant transcripts in this case. There was a court reporter present for the no-contest plea and a court reporter present for the motion to withdraw plea hearing but they have not been transcribed.

PROPOSITION I

PETITIONER'S CHALLENGES TO HIS CONVICTION ARE PROCEDURALLY BARRED AS PETITIONER FAILED TO TIMELY APPEAL HIS CONVICTION UNDER OKLAHOMA LAW.

Petitioner has filed an amended petition for writ of habeas corpus seeking to challenge his judgment and sentence out of the District Court of Tulsa County in Case No. CF-12-4414.

In *Routt v. Hines*, Case No. 02-5052, 48 Fed. Appx. 313, 315 (10th Cir. Oct. 8, 2002) (unpublished)¹, the Tenth Circuit recognized Oklahoma’s consistency in applying its jurisdictional rule of the filing of a timely notice of intent to appeal:

The Oklahoma Court of Criminal Appeals has repeatedly held that the statutory rules setting time limits for filing an appeal are absolute and neither the OCCA nor the trial courts have the authority to extend them. *See Weatherford v. State*, 13 P.3d 987, 989 n. 1 (Okla. Crim. App. 2000) (stating, in reference to appellate time periods set by statute, that “[i]t is beyond this Court’s power to change-either by court rule or otherwise-the minimum statutory prerequisites for bringing an appeal”); *Turner v. State*, 541 P.2d 1355, 1356 (Okla. Crim. App. 1975) (“The time and manner of taking [an] appeal . . . is regulated by statute. . . . The time provided by the statute is absolute, provided it is reasonable and just, and neither this Court nor the trial court has the authority to extend it.”); *Jordan v. State*, 430 P.2d 824, 825 (Okla. Crim. App. 1967) (calling a trial court’s order extending time to file an appeal beyond that specified by statute a “nullity” and dismissing the appeal as untimely filed).

See also Roberts v. Taylor, Case No. CIV-10-280, 2013 WL 5236614, *3 (E.D. Okla. Sept. 17, 2013) (unpublished)² (recognizing that Rule 2.5(A), Rules of the Court of Criminal Appeals is jurisdictional and failure to timely file a Notice of Intent to Appeal constitutes a waiver of the right to appeal under Oklahoma law); *Klien v. Jones*, Case No. CIV-12-1064, 2012 WL 6962975,*4 (W.D. Okla. Dec. 27, 2012) (unpublished)³ (same). Therefore, the state court’s reliance on its

¹Unpublished decision cited for persuasive value only, pursuant to Fed. R. App. P. 32.1 and 10th Cir. R. 32.1(A).

²Unpublished decision cited for persuasive value only, pursuant to Fed. R. App. P. 32.1 and 10th Cir. R. 32.1(A).

³Unpublished decision cited for persuasive value only, pursuant to Fed. R. App. P. 32.1 and 10th Cir. R. 32.1(A).

513 U.S. at 322. Petitioner provides this Court with no new evidence or any evidence to support his general statement that he is claiming actual innocence.

The highest state court, the Oklahoma Court of Criminal Appeals, decision should stand and Petitioner is procedurally barred from challenging his conviction. Petitioner's request for habeas corpus relief must be denied.

Respectfully submitted,

**E. SCOTT PRUITT
ATTORNEY GENERAL OF OKLAHOMA**

s/DIANE L. SLAYTON
DIANE L. SLAYTON, OBA#11829
ASSISTANT ATTORNEY GENERAL
313 NE 21st Street
Oklahoma City, OK 73105
(405) 521-3921, Fax (405) 522-4534

ATTORNEYS FOR RESPONDENT
Service email: fhc.docket@oag.ok.gov

CERTIFICATE OF SERVICE

X I hereby certify that on June 26, 2015, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing.

X I hereby certify that on June 26, 2015, I served the attached document by mail on the following, who is not a registered participant of the ECF System:

Jerry Leon Mason, #124786
OSR
PO Box 514
Granite, OK 73547

s/ DIANE L. SLAYTON

* 1 0 2 5 4 6 1 2 7 3 *

Plaintiff,

VS.

Jerry Leon MASON

Defendant.

SS#

D.O.B.

T- 74127

(Home Address)

Case No. CF 12-4414

[NOTE: The trial judge shall ensure the defendant is sworn either prior to completing the Summary of Facts or prior to inquiry by the Court on the Plea. If the defendant is entering a nolo contendere, or other type guilty plea, correct by pen change where term "guilty" used.]

DISTRICT COURT
FILED

MAY 16 2014

SALLY HOWE SMITH, COURT CLERK
STATE OF OKLA. TULSA COUNTY

PLEA OF GUILTY

SUMMARY OF FACTS

Part A: Findings of Fact, Acceptance of Plea

CIRCLE

1. Is the name just read to you your true name? _____ (Yes) No
If no, what is your correct name? _____
I have also been known by the name(s): _____

2. My lawyer's name is: BRIAN RAYL
3. (a) Do you wish to have a record made of these proceedings by a Court Reporter? (Yes) No
(b) Do you wish to waive this right? Yes (No)
4. Age: 50 Grade completed in school: 11th
5. Can you read and understand this form? (If the answer above is no, Addendum A is to be completed and attached.) (Yes) No
6. Are you currently taking any medications or substances which affect your ability to understand these proceedings? Yes (No)
7. Have you been prescribed any medication that you should be taking, but you are not taking? Yes (No)
If so, what kind and for what purpose? _____

8. Have you ever been treated by a doctor or health professional for mental illness or confined in a hospital for mental illness? (Yes) No
If yes, list the doctor or health professional, place, and when occurred:
BROOKHAVEN - TULSA - SCHIZO.
2005
9. Do you understand the nature and consequences of this proceeding? (Yes) No
10. Have you received a copy of the Information and read its allegations? (Yes) No
11. Does the State move to dismiss or amend any case(s) or count(s) in the information or on page 2 of the information? If so, set forth the cases/counts dismissed or amended. Yes (No)

EXHIBIT

• 2019

12. A. Do you understand you are charged with:

	Crime	Statutory Reference	
(1)	<u>RAPE 1st</u>	<u>21</u> O.S. <u>1115</u>	<input checked="" type="radio"/> Yes <input type="radio"/> No
(2)	<u>Burg 1st</u>	<u>21</u> O.S. <u>1431</u>	<input checked="" type="radio"/> Yes <input type="radio"/> No
(3)	<u>RAPE 1st</u>	<u>21</u> O.S. <u>1115</u>	<input checked="" type="radio"/> Yes <input type="radio"/> No
(4)	<u>Force Sodomy</u>	<u>21</u> O.S. <u>888</u>	<input checked="" type="radio"/> Yes <input type="radio"/> No

For additional charges: List any additional charges on a separate sheet and label as PLEA OF GUILTY
ADDENDUM B.

B. Are you charged after former conviction of a felony?

☒ Yes ☐ No

If yes, list the felony(ies) charged:

POSS CDS CF 03-1204

13. Have you previously been convicted of a felony? If so, when, where and for what felony/felonies?

14. ____ (Check if applicable) Do you understand you are subject to the Delayed Sentencing Program for Young Adults and what that sentencing program involves?

Yes No

____ (Check if applicable) Do you understand that upon a conviction on a plea of guilty to the offense(s) of _____ you will be required to serve a minimum sentence of: _____?

Yes No

☒ 85% of the sentence of imprisonment imposed before being eligible for parole consideration and are not eligible for earned or other type of credits which will have the effect of reducing the length of sentence to less than 85% of the sentence imposed?

☒ Yes ☐ No

____ % of the sentence of imprisonment imposed or received prior to becoming eligible for state correctional earned credits toward completion of your sentence or eligibility for parole?

Yes No

☒ (Check if applicable) Do you understand that a conviction on a plea of guilty to the offense(s) of RAPE 1st will subject you to mandatory compliance with the Oklahoma Sex Offender Registration Act?

☒ Yes ☐ No

☒ (Check if applicable) Do you understand that any person sentenced to imprisonment for two (2) years or more for the offense(s) of RAPE 1st involving sexual abuse, sexual exploitation, or illegal sexual conduct, shall be required to serve a term of post-imprisonment supervision for at least three (3) years under conditions determined by the Department of Corrections in addition to the actual term of imprisonment. There will be no post-imprisonment supervision for a sentence of life or life without the possibility of parole for offenses involving sexual abuse, sexual exploitation, or illegal sexual conduct.

☒ Yes ☐ No

____ (Check if applicable) Do you understand that a conviction on a plea of guilty to the offense(s) of _____ will subject you to mandatory compliance with the Oklahoma Methamphetamine Offender Registry Act?

Yes No

____ (Check if applicable) Do you understand that the Court is required to include in the sentence of any person convicted of a felony and sentenced to a term of imprisonment after November 1, 2012, a term of post-imprisonment supervision. The post-imprisonment supervision shall be for a period of not less than nine (9) months nor more than one (1) year following confinement of the person and shall be served under conditions prescribed by the Department of Corrections. There will be no post-imprisonment supervision for a sentence of life without the possibility of parole.

Yes No

15. What is/are the charge(s) to which the defendant is/are entering a plea today?

AS FILED

16. Do you understand the range of punishment for the crime(s) is/are: (List in same order as in No. 15 above)?

- | | | | |
|-----|--|--------------------------------------|----|
| (1) | Minimum of <u>10</u> to a maximum of <u>L</u> and/or a fine of \$ <u>10K</u> | <input checked="" type="radio"/> Yes | No |
| (2) | Minimum of <u>10</u> to a maximum of <u>L</u> and/or a fine of \$ <u>10K</u> | <input checked="" type="radio"/> Yes | No |
| (3) | Minimum of <u>10</u> to a maximum of <u>L</u> and/or a fine of \$ <u>10K</u> | <input checked="" type="radio"/> Yes | No |
| (4) | Minimum of <u>10</u> to a maximum of <u>L</u> and/or a fine of \$ <u>10K</u> | <input checked="" type="radio"/> Yes | No |

17. Read the following statements: You have the right to a speedy trial before a jury for the determination of whether you are guilty or not guilty and if you request, to determine sentence. (If pleading to capital murder, advise of procedure in 21 O.S. § 701.10(B)). At the trial:

- (1) You have the right to have a lawyer represent you, either one you hire yourself or if you are indigent a court appointed attorney.
- (2) You are presumed to be innocent of the charges.
- (3) You may remain silent or, if you choose, you may testify on your own behalf.
- (4) You have the right to see and hear all witnesses called to testify against you and the right to cross-examine them.
- (5) You may have your witnesses ordered to appear in court to testify and present evidence of any defense you have to these charges.
- (6) The state is required to prove your guilt beyond a reasonable doubt.
- (7) The verdict of guilty or not guilty decided by a jury must be unanimous. However, you can waive a jury trial and, if all parties agree, the case could be tried by a Judge alone who would decide if you were guilty or not guilty and if guilty, the appropriate punishment.

Do you understand each of these rights?

☒ Yes No

18. Do you understand by entering a plea of guilty you give up these rights?

☒ Yes No

19. Do you understand that a conviction on a plea of guilty could increase punishment in any future case committed after this plea?

☒ Yes No

20. Have you talked over the charge(s) with your lawyer, advised him/her regarding any defense you may have to the charges and had his/her advice?

☒ Yes No

21. Do you believe your lawyer has effectively assisted you in this case and are you satisfied with his/her advice?

☒ Yes No

22. Do you wish to change your plea of not guilty to Not ~~guilty~~ and give up your right to a jury trial and all other previously explained constitutional rights?

☒ Yes No

23. Is there a plea agreement?

☒ Yes No

What is your understanding of the plea agreement?

CRS 1-4 2.5 NDC (18M / 7 DWT) 600/150

CFTS

24. Do you understand the Court is not bound by any agreement or recommendation and if the Court does not accept the plea agreement, you have the right to withdraw your plea of guilty?

☒ Yes No

25. Do you understand that if there is no plea agreement the Court can sentence you within the range of punishment stated in question 16?

☒ Yes No

26. Do you understand your plea of guilty to the charge(s) is/are after: (check one) Yes No

- ☐ no prior felony convictions
☒ one (1) prior felony conviction
☐ two (2) or more prior felony convictions

List prior felony convictions to which pleading: _____

less CDS

27. What (is) (are) your plea(s) to the charge(s) (and to each one of them)?

Not Contested

28. Did you commit the acts as charged in the Information?

Yes No

State the factual basis for your plea(s) (attach additional page as needed, labeled as ADDENDUM C):

29. Have you been forced, abused, mistreated, or promised anything by anyone to have you enter your plea(s)?

Yes No

30. Do you plead guilty of your own free will and without any coercion or compulsion of any kind?

Yes No

31. If you are entering a plea to a felony offense, you have a right to a Pre-Sentence Investigation and Report which would contain the circumstances of the offense, any criminal record, social history and other background information about you. Do you want to have the Report?

Yes No

32. (a) Do you have any additional statements to make to the Court?

Yes No

(b) Is there any legal reason you should not be sentenced now?

Yes No

HAVING BEEN SWORN, I, the Defendant whose signature appears below, make the following statements under oath:
CHECK ONE:

- (1) ☐ (a) I have read, understood and completed this form.
☒ (b) My attorney completed this form and we have gone over the form and I understand its contents and agree with the answers. See Addendum "A"
☐ (c) The Court completed this form for me and inserted my answers to the questions.
- (2) The answers are true and correct.
- (3) I understand that I may be prosecuted for perjury if I have made false statements to this Court.

[Signature]
DEFENDANT

Acknowledged this 13 day of MAY, 2014

Notary Public/Deputy Court Clerk/Judge

33. I, the undersigned attorney for the Defendant, believe the Defendant understands the nature, purpose and consequence of this proceeding. (S)He is able to assist me in formulating any defense to the charge(s). I am satisfied that the Defendant's waivers and plea(s) of guilty are voluntarily given and he/she has been informed of all legal and constitutional rights.


ATTORNEY FOR DEFENDANT

34. The sentence recommendation in question 23 is correctly stated. I believe the recommendation is fair to the State of Oklahoma.

35. Offer of Proof (Nolo contendere plea) THE Δ PUSHED HIS WAY INTO VICTIM'S RESIDENCE, VAGINALLY & ANALLY? PENETRATED HER W/ HIS PENIS, AND PUT HIS PENIS IN HER MOUTH ALL AGAINST HER WILL IN TULSA COUNTY


ASSISTANT DISTRICT ATTORNEY

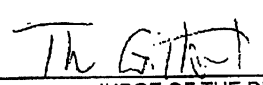
THE COURT FINDS AS FOLLOWS:

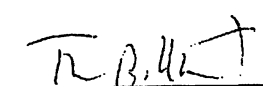
36. A. The Defendant was sworn and responded to questions under oath.
B. The Defendant understands the nature, purpose and consequences of this proceeding.
C. The Defendant's plea(s) of Nolo is/are knowingly and voluntarily entered and accepted by the Court.
D. The Defendant is competent for the purpose of this hearing.
E. A factual basis exists for the plea(s) (and former conviction(s), if applicable).
F. The Defendant is guilty as charged: (check as appropriate)
☐ after no prior felony convictions.
☒ after one (1) prior felony conviction.
☐ after two (2) or more prior felony convictions.
G. Sentencing or order deferring sentence shall be:
☒ imposed instantly; or
☐ continued until the ____ day of _____, 20__, at _____.m.
☐ If the Pre-Sentence Investigation and Report is requested, it shall be provided to the Court by the ____ day of _____, 20__.
H. Defendant is committed to:
____ The RID Program
____ The FORT Program
____ The Delayed Sentencing Program for Youthful Offenders

DONE IN OPEN COURT this 13 day of MAY, 2014

Court Reporter Present

Deputy Court Clerk


JUDGE OF THE DISTRICT COURT


NAME OF JUDGE TYPED OR PRINTED

Part B: Sentence on Plea

Case No. CF 12-4414

State v. MASON

Date: 5/13/14

[NOTE ON USE: Part B to be used with the Summary of Facts if contemporaneous with the entry of plea or may be formatted as a separate sentencing form if sentencing continued to future date.]

THE COURT SENTENCES THE DEFENDANT AS FOLLOWS:

TIME TO SERVE

1. You are sentenced to confinement under the supervision of the Department of Corrections for a term of years as follows:
(list in same order as in question No. 15 in Part A)

Upon release from such confinement, you shall serve a term of post-imprisonment supervision under conditions prescribed by the Department of Corrections for a period of:

2. The sentence(s) to run: ☐ Concurrently ☐ Consecutively ☐ NOT APPLICABLE

3. Defendant shall receive: ☐ Credit for time served ☐ No credit for time served

DEFERRED SENTENCE

1. The sentencing date is deferred until _____, 20__ at _____ m.

2. You (will/will not) be supervised. The terms set forth in the Rules and Conditions of Probation found in Addendum D shall be the rules you must follow during the period of deferment.

SUSPENDED SENTENCE or SUSPENDED AS TO PART

1. You are sentenced to confinement under the supervision of the Department of Corrections for a term of years as follows:

①-④ 2.5 DOC (18m/7out) 600/150
CFTS

To be suspended as follows:

(a) ALL SUSPENDED YES _____ NO X

(b) suspended except as to the first 18 (months/years) of the term(s) during which time you are to be held in the custody of the Department of Corrections, the remainder of the sentence(s) to be suspended under the terms set forth in the Rules and Conditions of Probation found in Addendum D.

____ Said period of incarceration shall be in the custody of the Department of Corrections, to be served in the County Jail, in lieu of the Department of Corrections, pursuant to the Community Service Sentencing Program, 22 O.S. Section 991a - 4.1.

____ Defendant's term of incarceration shall be calculated as:

____ Calendar days with credit for good behavior only (57 O.S. Section 65)

____ As calculated by the Sheriff with all implemented and allowable credits allowed by law

2. The sentence(s) to run: ☒ Concurrently ☐ Consecutively ☐ NOT APPLICABLE

3. Defendant shall receive: ☒ Credit for time served ☐ No credit for time served

FINES AND COSTS

You are to pay a fine(s), costs, fees and/or restitution to the Tulsa County District Court Clerk as follows: (Addendum E which is attached and made a part of this Order.)

- ☐ To the Tulsa County District Court Clerk as set out in the *Order of the Court – Rule 8 Hearing*
- ☐ To the Tulsa County District Attorney's Office as set out in the *Restitution Schedule Addendum*
- ☐ To the Department of Corrections as set out in the Pre-Sentence Investigation Report and/or the Rules and Conditions of Probation Addendum.

"NOTICE OF RIGHT TO APPEAL"

Sentence to Incarceration, Suspended or Deferred:

To appeal from this conviction, or order deferring sentence, on your plea of guilty, you must file in the District Court Clerk's Office a written Application to Withdraw your Plea of Guilty within ten (10) days from today's date. You must set forth in detail why you are requesting to withdraw your plea. The trial court must hold a hearing and rule upon your Application within thirty (30) days from the date it is filed. If the trial court denies your Application, you have the right to ask the Court of Criminal Appeals to review the District Court's denial by filing a Petition for Writ of Certiorari within ninety (90) days from the date of the denial. Within ten (10) days from the date the application to withdraw plea of guilty is denied, notice of intent to appeal and designation of record must be filed pursuant to Oklahoma Court of Criminal Appeals Rule 4.2(D). If you are indigent, you have the right to be represented on appeal by a court appointed attorney.

Do you understand each of these rights to appeal?

☒ Yes ☐ No

Do you want to remain in the county jail ten (10) days before being taken to the place of confinement?

Yes ☒ No

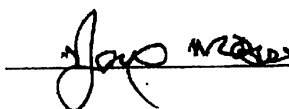
Have you fully understood the questions that have been asked?

☒ Yes ☐ No

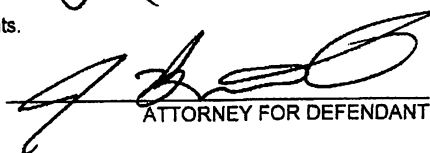
Have your answers been freely and voluntarily given?

☒ Yes ☐ No

I ACKNOWLEDGE UNDERSTANDING OF RIGHTS AND SENTENCE IMPOSED.


DEFENDANT

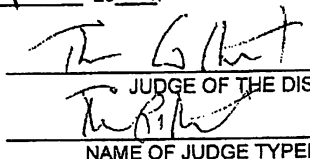
I, the undersigned attorney, have advised the Defendant of his appellate rights.


ATTORNEY FOR DEFENDANT

Done in open court, with all parties present, this 13 day of MAY 2014.

Court Reporter Present

Deputy Court Clerk


JUDGE OF THE DISTRICT COURT

NAME OF JUDGE TYPED OR PRINTED

ADDENDUM "A"

IMMIGRATION STATUS WARNING ABOUT PLEA OF GUILTY/NO CONTEST

The defendant understands that because he is not a citizen of the United States, his plea of guilty/no contest in this case makes it very likely (automatic for many crimes) that he will be deported from the United States. The defendant agrees that he has talked with his defense lawyer about his immigration status and how a plea of guilty/no contest in this case will affect that status. The defendant understands that immigration, including deportation, is a separate proceeding governed by the laws of the United States. The defendant also understands that no one, including his defense lawyer or the Judge of the District Court of Tulsa County, Oklahoma, can predict to a certainty the effect of his plea of guilty/no contest in this case on his immigration status. Even with this warning, the defendant agrees that he wants to go ahead and plead guilty/no contest in this case.

Date

Defendant

Interpreter (if necessary)

CERTIFICATE OF DEFENSE COUNSEL

As the attorney for the defendant, I certify that:

1. The Defendant has stated to me that he/she is ☒ able ☐ unable to read and understand the attached form and I have:
(check appropriate option)

☒ Determined the Defendant is able to understand the English language.

☐ Determined the Defendant is unable to understand the English language and obtained _____ to interpret.

2. I have read and fully explained to the Defendant the allegations contained in the information in this case.

3. I have read and fully explained to the Defendant all of the questions in the Plea of Guilty/Summary of Facts and the answers to the questions set out in the Summary of Facts are the Defendant's answers.

4. To the best of my knowledge and belief the statements and declaration made by the Defendant are accurate and true and have been freely and voluntarily made.

Dated this 13 day of MAY, 20 14



ATTORNEY FOR DEFENDANT



The information on this page is NOT an official record. Do not rely on the correctness or completeness of this information. Verify all information with the official record keeper. The information contained in this report is provided in compliance with the Oklahoma Open Records Act, 51 O.S. 24A.1. Use of this information is governed by this act, as well as other applicable state and federal laws.

IN THE DISTRICT COURT IN AND FOR TULSA COUNTY, OKLAHOMA

STATE OF OKLAHOMA,
Plaintiff,

v.

JERRY LEON MASON,
A/K/A GEORGE FRAZIER,
A/K/A GEORGE MASON,
A/K/A GEORGE WASHINGTON,
Defendant.

No. CF-2012-4414
(Criminal Felony)

Filed: 10/03/2012
Closed: 05/13/2014

Judge: CF B Docket

PARTIES

MASON, JERRY LEON, Defendant
STATE OF OKLAHOMA, Plaintiff
Tulsa Police Department, ARRESTING AGENCY

ATTORNEYS

Attorney

TULSA COUNTY PUBLIC DEFENDER

Represented Parties

EVENTS

Event	Party	Docket	Reporter
Friday, November 2, 2012 at 9:00 AM PRELIMINARY HEARING ISSUE (PUBLIC DEFENDER)	MASON, JERRY LEON	Preliminary Hearing Docket	
Friday, December 14, 2012 at 9:00 AM PRELIMINARY HEARING ISSUE (PUBLIC DEFENDER)	MASON, JERRY LEON	Preliminary Hearing Docket	



Event	Party	Docket	Reporter
Friday, December 21, 2012 at 9:00 AM PRELIMINARY HEARING ISSUE (PUBLIC DEFENDER)	MASON, JERRY LEON	Preliminary Hearing Docket	
Friday, January 11, 2013 at 9:00 AM PRELIMINARY HEARING ISSUE (PUBLIC DEFENDER)	MASON, JERRY LEON	Preliminary Hearing Docket	
Friday, February 1, 2013 at 9:00 AM PRELIMINARY HEARING ISSUE (PUBLIC DEFENDER)	MASON, JERRY LEON	Preliminary Hearing Docket	
Monday, February 11, 2013 at 13:30 PM DISTRICT COURT ARRAIGNMENT	MASON, JERRY LEON	CF B Docket	
Tuesday, March 26, 2013 at 9:30 AM HEARING ON THE TRANSCRIPT	MASON, JERRY LEON	CF B Docket	
Thursday, March 28, 2013 at 9:30 AM HEARING ON THE TRANSCRIPT	MASON, JERRY LEON	CF B Docket	
Monday, June 10, 2013 at 13:30 PM ALLEN (DISCOVERY) HEARING/ STATUS CONFERENCE	MASON, JERRY LEON	CF B Docket	
Monday, July 29, 2013 at 13:30 PM ALLEN (DISCOVERY) HEARING	MASON, JERRY LEON	CF B Docket	
Friday, August 9, 2013 at 9:30 AM ALLEN (DISCOVERY) HEARING	MASON, JERRY LEON	CF B Docket	
Monday, August 19, 2013 at 9:30 AM JURY TRIAL (NO ISSUE)	MASON, JERRY LEON	CF B Docket	
Monday, September 23, 2013 at 9:30 AM JURY TRIAL (NO ISSUE)	MASON, JERRY LEON	CF B Docket	
Monday, October 28, 2013 at 13:30 PM ALLEN (DISCOVERY) HEARING/ JURY NO ISSUE	MASON, JERRY LEON	CF B Docket	
Monday, November 25, 2013 at 13:30 PM ALLEN (DISCOVERY) HEARING/ JURY NO ISSUE- B.R.	MASON, JERRY LEON	CF B Docket	
Tuesday, November 26, 2013 at 9:30 AM ALLEN (DISCOVERY) HEARING/NO ISSUE JURY	MASON, JERRY LEON	CF B Docket	
Monday, December 9, 2013 at 13:30 PM ALLEN (DISCOVERY) HEARING- B.R.	MASON, JERRY LEON	CF B Docket	
Monday, February 10, 2014 at 9:30 AM JURY TRIAL (ISSUE)- B.R.	MASON, JERRY LEON	CF B Docket	
Friday, May 2, 2014 at 9:30 AM STATUS CONFERENCE	MASON, JERRY LEON	CF B Docket	

Event	Party	Docket	Reporter
Monday, May 12, 2014 at 9:30 AM JURY TRIAL (ISSUE) B.R.	MASON, JERRY LEON	CF B Docket	
Tuesday, May 13, 2014 at 9:00 AM JURY TRIAL (ISSUE)	MASON, JERRY LEON	CF B Docket	
Thursday, June 12, 2014 at 9:30 AM MOTION HEARING	MASON, JERRY LEON	CF B Docket	

COUNTS

Parties appear only under the counts with which they were charged. For complete sentence information, see the court minute on the docket.

Count # 1. Count as Filed: RAPE, RAPE - 1ST DEGREE - FORCE AND FEAR, in violation of 21 O.S. 1115
Date of Offense: 09/24/2012

Party Name	Disposition Information
MASON, JERRY LEON	Disposed: CONVICTION, 05/13/2014. Nolo Contendere Plea Count as Disposed: RAPE - 1ST DEGREE - FORCE AND FEAR(RAPE) Violation of 21 O.S. 1115

Count # 2. Count as Filed: BRG1, BURGLARY - FIRST DEGREE, in violation of 21 O.S. 1431
Date of Offense: 09/24/2012

Party Name	Disposition Information
MASON, JERRY LEON	Disposed: CONVICTION, 05/13/2014. Nolo Contendere Plea Count as Disposed: BURGLARY - FIRST DEGREE(BRG1) Violation of 21 O.S. 1431

Count # 3. Count as Filed: RAPE, RAPE - 1ST DEGREE - FORCE AND FEAR, in violation of 21 O.S. 1115
Date of Offense: 09/24/2012

Party Name	Disposition Information
MASON, JERRY LEON	Disposed: CONVICTION, 05/13/2014. Nolo Contendere Plea Count as Disposed: RAPE - 1ST DEGREE - FORCE AND FEAR(RAPE) Violation of 21 O.S. 1115

Count # 4. Count as Filed: FSOD, FORCIBLE SODOMY, in violation of 21 O.S. 888
Date of Offense: 09/24/2012

Party Name	Disposition Information
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Party Name **Disposition Information**
MASON, JERRY LEON **Disposed: CONVICTION, 05/13/2014. Nolo Contendere Plea**
Count as Disposed: FORCIBLE SODOMY(FSOD)
Violation of 21 O.S. 888

DOCKET

Date	Code	Description	Count	Party	Amount
10-03-2012	TEXT	Criminal Felony Initial Filing. <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>	1	MASON, JERRY LEON	
10-03-2012	INFORMATION	Defendant JERRY LEON MASON was charged with Count #1, RAPE - 1ST DEGREE - FORCE AND FEAR in violation of 21 O.S. 1115	1	MASON, JERRY LEON	
10-03-2012	INFORMATION	Defendant JERRY LEON MASON was charged with Count #2, BURGLARY - FIRST DEGREE in violation of 21 O.S. 1431	2	MASON, JERRY LEON	
10-03-2012	INFORMATION	Defendant JERRY LEON MASON was charged with Count #3, RAPE - 1ST DEGREE - FORCE AND FEAR in violation of 21 O.S. 1115	3	MASON, JERRY LEON	
10-03-2012	INFORMATION	Defendant JERRY LEON MASON was charged with Count #4, RAPE - 1ST DEGREE - FORCE AND FEAR in violation of 21 O.S. 1115	4	MASON, JERRY LEON	
10-03-2012	TEXT	OCIS has automatically assigned Judge CF B Docket to this case.			
10-04-2012	CTARRPL	HIDDLE, WILLIAM: Defendant present, IN CUSTODY and represented by PUBLIC DEFENDER APPOINTED. Arraignment held. Defendant waives reading of the information and further time to plead. Defendant enters a plea of not guilty. Preliminary hearing set for 11-2-12 AT 9:00AM IN ROOM 344. Bond set in the amount of \$50,000.00; Defendant remanded to custody.		MASON, JERRY LEON	
10-04-2012	DAINS	District Attorney Inspection Notification <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	
10-04-2012	PA	Pauper's Affidavit <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	
10-09-2012	AFPCA	Affidavit & Finding Of Probable Cause T.R.A.C.I.S. (Arrested) <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	

Date	Code	Description	Count	Party	Amount
10-23-2012	ADISC	Acknowledgement of Receipt of Discovery <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	
11-02-2012	CTPASS	JUDGE CLIFFORD SMITH: DEFENDANT PRESENT, IN CUSTODY AND REPRESENTED BY BRIAN RAYL. STATE REPRESENTED BY MATT KEHOE. CASE CALLED FOR PRELIMINARY HEARING. PRELIMINARY HEARING PASSED BY AGREEMENT TO 12/ 14/2012 AT 9:00AM IN ROOM 344. BOND TO REMAIN; DEFENDANT REMANDED TO CUSTODY.		MASON, JERRY LEON	
12-14-2012	CTPASS	JUDGE CLIFFORD SMITH: Defendant present, IN CUSTODY and represented by LORA SMART. State represented by MATT KEHOE. CASE CALLED FOR PRELIMINARY HEARING. PRELIMINARY HEARING PASSED ISSUE TO 12/21/2013 AT 9:00AM IN ROOM 344. Bond to remain; Defendant remanded to custody.		MASON, JERRY LEON	
12-21-2012	CTPASS	JUDGE LUDI LEITCH: Defendant present, IN CUSTODY and represented by BRIAN RAYL. State represented by KEVIN GRAY FOR NALANI CHING. PRELIMINARY HEARING PASSED BY AGREEMENT to 1-11-13 AT 9:00AM IN ROOM 344. Bond to remain; DEFENDANT REMANDED TO CUSTODY.		MASON, JERRY LEON	
01-11-2013	CTPASS	JUDGE STEPHEN CLARK: Defendant present, IN CUSTODY and represented by LORA SMART. State represented by MATT KEHOE. CASE CALLED FOR PRELIMINARY HEARING. PRELIMINARY HEARING PASSED TO 2/1/2013 AT 9:00AM IN ROOM 344. Bond to remain; Defendant REMANDED TO CUSTODY.		MASON, JERRY LEON	
02-01-2013	CTPRLDCA	judge stephen clark: Defendant present, in custody and represented by brian rayl. State represented by nalani ching and tim harris. Court reporter: dana rush. Case called for preliminary hearing. two witnesses sworn. court grants state's motion to add count 3: rape - 1st degree bond set at \$50,000.00 and count 4: oral sodomy bond set at \$50,000.00. Demurrer overruled. Defendant is bound over to District Court before Judge gillert on 2-11-13 at 1:30pm in room 406. defendant remanded to custody. bond commitment issued to jail. state to file amended information.		MASON, JERRY LEON	
02-01-2013	REQCR	Court Reporter Fee at Trial (Jury/Non-Jury/Preliminary)		MASON, JERRY LEON	\$ 20.00
02-01-2013	OCISR	Oklahoma Court Information System Revolving Fund		MASON, JERRY LEON	\$ 25.00

Date	Code	Description	Count	Party	Amount
02-06-2013	RETCO	Return Commitment <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	
02-08-2013	AMIN	Amended Information - added CT 3 & 4 <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	
02-08-2013	MOQ	Motion To Quash <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	
02-08-2013	MOPRO	Motion To Produce <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	
02-08-2013	MO	Motion FOR JURY TO ASSESS PUNISHMENT <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	
02-08-2013	MO	Motion TO MODIFY THE VERDICT FORM TO COMPLY WITH THE PRESUMPTION OF INNOCENCE <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	
02-08-2013	MFD	MOTION FOR DISCOVERY AND INSPECTION <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	
02-11-2013	CTPASS	JUDGE TOM GILLERT: DEFENDANT NOT PRESENT IN CUSTODY; DEFENDANT'S APPEARANCE WAIVED. DEFENDANT REPRESENTED BY BRIAN RAYL, PD. STATE REPRESENTED BY NALANI CHING. CASE CALLED FOR DISTRICT COURT ARRAIGNMENT. ATTORNEY REQUEST HEARING ON THE TRANSCRIPT. AMENDED INFO FILED AND SERVED TO ATTY. COURT SIGNED ORDER FOR TRANSCRIPT AT PUBLIC EXPENSE. HEARING SET FOR 3/26/2013 AT 9:30 AM ROOM 406. BOND TO REMAIN. DEFENDANT REMANDED TO CUSTODY.		MASON, JERRY LEON	
02-12-2013	O	Order for transcript <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	
02-15-2013	CCERT	Court Reporter's Certificate <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	

Date	Code	Description	Count	Party	Amount
03-05-2013	T&2	Original Transcript & 2 Copies of PRELIMINARY HEARING On FEBRUARY 1, 2013 WITH STATE'S EXHIBIT 1 IN BACK. ONE COPY EACH TO DISTRICT ATTORNEY'S OFFICE AND PUBLIC DEFENDER'S OFFICE. <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	
03-22-2013	PYREQ	Payment Request - Transcripts <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	\$ 210.00
03-26-2013	CTPASS	JUDGE TOM GILLERT: DEFENDANT PRESENT IN CUSTODY REPRESENTED BY BRIAN RAYL, PD. STATE REPRESENTED BY NALANI CHING/ KEVIN GRAY. CASE CALLED FOR HEARING ON THE TRANSCRIPT. STATE TO AMEND THE INFORMATION. CASE PASSED TO 3/28/2013 AT 9:30 AM ROOM 406. BOND TO REMAIN. DEFENDANT REMANDED TO CUSTODY.		MASON, JERRY LEON	
03-28-2013	AMIN	2nd Amended Information - AMENDED COUNT 4 TO FORCIBLE SODOMY (WAS RAPE - 1ST DEGREE - FORCE AND FEAR) <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	
03-28-2013	CTDCA	JUDGE TOM GILLERT: DEFENDANT PRESENT IN CUSTODY REPRESENTED BY BRIAN RAYL, PD. STATE REPRESENTED BY KEVIN GRAY. COURT REPORTER JANA HARRINGTON IS PRESENT. CASE CALLED FOR MOTION HEARING. HEARING HELD. (STATE IS TO AMEND COUNT FOR; PARTIES AGREED TO PROCEED WITH MOTION HEARING PRIOR TO AMENDMENT). COURT OVERRULED DEFENDANT'S MOTION TO QUASH; COURT NOTES THE EXCEPTION. District Court Arraignment held; THE COURT enters a plea of not guilty to the Information FOR THE DEFENDANT and requests jury trial. Jury trial set for 8/19/2013 9:30 AM ROOM 406. Allen Discovery hearing AND OR / STATUS CONFERENCE set for 6/10/2013 1:30 PMR OOM 406. Bond to remain; Defendant remanded to custody.		MASON, JERRY LEON	
04-03-2013	WFPDA	Witness fees paid by District Attorney 3-21-13 <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	\$ 28.00
06-10-2013	CTPASS	JUDGE TOM GILLERT: DEFENDANT NOT PRESENT IN CUSTODY DEFENDANT'S APPEARANCE WAIVED. DEFENDANT REPRESENTED BY BRIAN RAYL, PD. STATE REPRESENTED BY NALANI CHING. CASE CALLED FOR ALLEN DISCOVERY. ALLEN PASSED TO 7/29/2013 AT 1:30 PM ROOM 406. BOND TO REMAIN. DEFENDANT REMANDED TO CUSTODY.		MASON, JERRY LEON	

Date	Code	Description	Count	Party	Amount
07-18-2013	WFPDA	Witness fees paid by District Attorney 6-27-13 <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	\$ 580.20
07-29-2013	CTPASS	JUDGE TOM GILLERT: DEFENDANT PRESENT IN CUSTODY REPRESENTED BY BRIAN RAYL, PD. STATE REPRESENTED BY NALANI CHING. CASE CALLED FOR ALLEN DISCOVERY. (WAITING ON DNA). CASE PASSED TO 8/9/2013 AT 9:30 AM ROOM 406. BOND TO REMAIN. DEFENDANT REMANDED TO CUSTODY.		MASON, JERRY LEON	
08-09-2013	CTPASS	JUDGE TON GILLERT: DEFENDANT NOT PRESENT IN CUSTODY; DEFENDANT'S APPEARANCE WAIVED. DEFENDANT REPRESENTED BY BRIAN RAYL, PD. STATE REPRESENTED BY NALANI CHING. CASE CALLED FOR ALLEN DISCOVERY. (WAITING ON DNA). CASE SET FOR NO ISSUE JURY TRIAL / ADH 8/19/2013 AT 9:30 AM ROOM 406. BOND TO REMAIN. DEFENDANT REMANDED TO CUSTODY.		MASON, JERRY LEON	
08-19-2013	CTPASS	JUDGE TOM GILLERT: DEFENDANT NOT PRESENT IN CUSTODY; DEFENDANT'S APPEARANCE WAIVED. STATE REPRESENTED BY NALANI CHING. CASE CALLED FOR JURY TRIAL NO ISSUE. PARTIES IS WAITING ON THE DNA. CASE SET FOR NO ISSUE JURY TRIAL 9/23/2013 AT 9:30 AM ROOM 406. BOND TO REMAIN. DEFENDANT REMANDED TO CUSTODY.		MASON, JERRY LEON	
09-23-2013	CTPASS	JUDGE TOM GILLERT: DEFENDANT NOT PRESENT IN CUSTODY PRESENTED BY BRIAN RAYL, PD. DEFENDANT'S APPEARANCE WAIVED. STATE REPRESENTED BY NALANI CHING/ KEVIN GRAY. CASE SET FOR FOR JURY TRIAL NO ISSUE. CASE PASSED TO 10/28/2013 AT 1:30 PM FOR ALLEN/ JURY TRIAL NO ISSUE. BOND TO REMAIN. DEFENDANT REMANDED TO CUSTODY.		MASON, JERRY LEON	
09-24-2013	ADISC	Acknowledgement of Receipt of Discovery <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	
10-03-2013	LT	Letter <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	
10-28-2013	CTPASS	JUDGE TOM GILLERT: DEFENDANT NOT PRESENT IN CUSTODY; DEFENDANT APPEARANCE WAIVED. DEFENDANT PRESENT REPRESENTED BY BRIAN RAYL, PD. STATE REPRESENTED BY NALANI CHING. CASE CALLED FOR ALLEN DISCOVERY/ NO ISSUE JURY . CASE PASSED TO 11/25/2013 AT 1:30 PM ROOM 406. BOND TO REMAIN. DEFENDANT REMANDED TO CUSTODY.		MASON, JERRY LEON	

Date	Code	Description	Count	Party	Amount
11-25-2013	CTPASS	JUDGE TOM GILLERT: DEFENDANT NOT PRESENT IN CUSTODY; DEFENDANT'S APPEARANCE WAIVED. DEFENDANT REPRESENTED BY BRIAN RAYL, PD. STATE REPRESENTED BY KEVIN GRAY. CASE CALLED FOR ALLEN DISCOVERY JURY NO ISSUE. CASE PASSED TO 11/26/2013 AT 9:30 AM ROOM 406. BOND TO REMAIN. DEFENDANT REMANDED TO CUSTODY.		MASON, JERRY LEON	
12-02-2013	CTPASS	JUDGE TOM GILLERT: DEFENDANT NOT PRESENT IN CUSTODY; DEFENDANT'S APPEARANCE WAIVED. DEFENDANT REPRESENTED BY BRIAN RAYL, PD. STATE REPRESENTED BY NALANI CHING. CASE CALLED FOR ALLEN DISCOVERY DISCOVERY. CASE PASSED TO 12/9/2013 AT 1:30 PM ROOM 406. BOND TO REMAIN. DEFENDANT REMANDED TO CUSTODY.		MASON, JERRY LEON	
12-09-2013	CTPASS	JUDGE TOM GILLERT: DEFENDANT PRESENT IN CUSTODY REPRESENTED BY BRIAN RAYL. STATE REPRESENTED BY NALANI CHING. CASE CALLED FOR ALLEN DISCOVERY. CASE SET FOR JURY TRIAL ISSUE 2/10/2014 AT 9:30 AM ROOM 406. BOND TO REMAIN. DEFENDANT REMANDED TO CUSTODY.		MASON, JERRY LEON	
12-10-2013	ADISC	Acknowledgement of Receipt of Discovery <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	
01-31-2014	DEFT	Defendant's WITNESS LIST <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	
01-31-2014	DEFT	Defendant's WITNESS LIST <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	
02-10-2014	CTPASS	JUDGE TOM GILLERT: DEFENDANT NOT PRESENT IN CUSTODY; DEFENDANT'S APPEARANCE WAIVED. DEFENDANT REPRESENTED BY BRIAN RAYL, PD. STATE REPRESENTED BY NALANI CHING. CASE CALLED FOR JURY TRIAL ISSUE. CASE PASSED TO 5/12/2014 AT 9:30 AM ROOM 406. BOND TO REMAIN. DEFENDANT REMANDED TO CUSTODY.		MASON, JERRY LEON	
03-05-2014	LT	Letter <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	
05-02-2014	CTFREE	JUDGE TOM GILLERT: DEFENDANT STATUS CONFERENCE STRICKEN. DEFENDANT SET FOR JURY TRIAL 5/12/2014.		MASON, JERRY LEON	

Date	Code	Description	Count	Party	Amount
05-08-2014	CTFREE	JUDGE TOM GILLERT: ORDER SIGNED BY THE COURT TO ENDORSE ADDITIONAL WITNESS.		MASON, JERRY LEON	
05-08-2014	O	Order <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	
05-08-2014	APLI	APPLICATION to endorse witness for jury trial <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	
05-09-2014	AMIN	3rd Amended Information <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	
05-12-2014	CTPASS	JUDGE TOM GILLERT: Defendant present, in custody, and represented by BRIAN RAYL PD. State represented by NALANI CHING. JURY TRIAL PASSED to 5-13-2014 @ 9:30 AM IN ROOM 406 Bond to remain; DEFENDANT REMANDED TO CUSTODY.		MASON, JERRY LEON	

Date	Code	Description	Count	Party	Amount
05-13-2014	CONVICTED	<p>JUDGE TOM GILLERT: DEFENDANT PRESENT, IN CUSTODY, REPRESENTED BY BRIAN RAYL PD. STATE REPRESENTED BY NALANI CHING. DEFENDANT SWORN IN OPEN COURT. COURT REPORTER JANA HARRINGTON. DEFENDANT ENTERS A PLEA OF NOLO CONTENDERE AND WAIVES RIGHTS TO JURY, NON JURY TRIAL. COURT ACCEPTS PLEA, COURT FINDS DEFENDANT GUILTY, DEFENDANT SENTENCED TO:</p> <p>COUNT 1) TWENTY FIVE (25) YEARS WITH THE FIRST EIGHTEEN (18) YEARS IN DEPARTMENT OF CORRECTIONS WITH CREDIT FOR TIME SERVED AND THE LAST SEVEN (7) YEARS SUSPENDED WITH NO FORMAL SUPERVISION. DEFENDANT TO PAY \$600.00 FINE, \$150.00 VCA, PLUS COSTS. SPECIAL RULES AND CONDITIONS FOR SEX OFFENDER ISSUED.</p> <p>COUNT 2) TWENTY FIVE (25) YEARS WITH THE FIRST EIGHTEEN (18) YEARS IN DEPARTMENT OF CORRECTIONS WITH CREDIT FOR TIME SERVED AND THE LAST SEVEN (7) YEARS SUSPENDED WITH NO FORMAL SUPERVISION. DEFENDANT TO PAY \$600.00 FINE, \$150.00 VCA, PLUS COSTS.</p> <p>COUNT 3) TWENTY FIVE (25) YEARS WITH THE FIRST EIGHTEEN (18) YEARS IN DEPARTMENT OF CORRECTIONS WITH CREDIT FOR TIME SERVED AND THE LAST SEVEN (7) YEARS SUSPENDED WITH NO FORMAL SUPERVISION. DEFENDANT TO PAY \$600.00 FINE, \$150.00 VCA, PLUS COSTS.</p> <p>COUNT 4) TWENTY FIVE (25) YEARS WITH THE FIRST EIGHTEEN (18) YEARS IN DEPARTMENT OF CORRECTIONS WITH CREDIT FOR TIME SERVED AND THE LAST SEVEN (7) YEARS SUSPENDED WITH NO FORMAL SUPERVISION. DEFENDANT TO PAY \$600.00 FINE, \$150.00 VCA, PLUS COSTS.</p> <p>ALL COUNTS TO RUN CONCURRENT WITH EACH OTHER.</p> <p>DEFENDANT ADVISED OF APPEAL RIGHTS, RULE 8 ISSUED, JUDGEMENT AND SENTENCE ISSUED. COMMITMENT ISSUED.</p>	1	MASON, JERRY LEON	
05-13-2014	COSTF	COURT COSTS ON FELONY	1	MASON, JERRY LEON	\$ 103.00

Date	Code	Description	Count	Party	Amount
05-13-2014	DACPAF	DA Council Prosecution Assessment for Felony	1	MASON, JERRY LEON	\$ 25.00
05-13-2014	OCISR	Oklahoma Court Information System Revolving Fund	1	MASON, JERRY LEON	\$ 25.00
05-13-2014	SSFCHS	Sheriff's Service Fee For Court House Security	1	MASON, JERRY LEON	\$ 10.00
05-13-2014	MELRF	Medical Expense Liability Revolving Fund	1	MASON, JERRY LEON	\$ 10.00
05-13-2014	CLEET	CLEET PENALTY ASSESSMENT	1	MASON, JERRY LEON	\$ 9.00
05-13-2014	PFE7	LAW LIBRARY FEE	1	MASON, JERRY LEON	\$ 6.00
05-13-2014	FOREN	Forensic Science Improvement Assessment	1	MASON, JERRY LEON	\$ 5.00
05-13-2014	SSF	SHERIFF'S SERVICE FEE ON ARRESTS	1	MASON, JERRY LEON	\$ 5.00
05-13-2014	AFIS	AFIS Fee	1	MASON, JERRY LEON	\$ 5.00
05-13-2014	CHAB	C.H.A.B. Statutory Fee	1	MASON, JERRY LEON	\$ 3.00
05-13-2014	AGVSU	Attorney General Victim Services Unit	1	MASON, JERRY LEON	\$ 3.00
05-13-2014	VCA	VICTIMS COMPENSATION ASSESSMENT (AC12)	1	MASON, JERRY LEON	\$ 150.00
05-13-2014	FINE	FINES PAYABLE TO COUNTY	1	MASON, JERRY LEON	\$ 600.00

Date	Code	Description	Count	Party	Amount
05-13-2014	CCADMIN	Court Clerk Administrative Fee on Collections	1	MASON, JERRY LEON	\$ 7.00
05-13-2014	COSTF	COURT COSTS ON FELONY	2	MASON, JERRY LEON	\$ 103.00
05-13-2014	DACPAF	DA Council Prosecution Assessment for Felony	2	MASON, JERRY LEON	\$ 25.00
05-13-2014	OCISR	Oklahoma Court Information System Revolving Fund	2	MASON, JERRY LEON	\$ 25.00
05-13-2014	SSFCHS	Sheriff's Service Fee For Court House Security	2	MASON, JERRY LEON	\$ 10.00
05-13-2014	MELRF	Medical Expense Liability Revolving Fund	2	MASON, JERRY LEON	\$ 10.00
05-13-2014	CLEET	CLEET PENALTY ASSESSMENT	2	MASON, JERRY LEON	\$ 9.00
05-13-2014	PFE7	LAW LIBRARY FEE	2	MASON, JERRY LEON	\$ 6.00
05-13-2014	FOREN	Forensic Science Improvement Assessment	2	MASON, JERRY LEON	\$ 5.00
05-13-2014	SSF	SHERIFF'S SERVICE FEE ON ARRESTS	2	MASON, JERRY LEON	\$ 5.00
05-13-2014	AFIS	AFIS Fee	2	MASON, JERRY LEON	\$ 5.00
05-13-2014	CHAB	C.H.A.B. Statutory Fee	2	MASON, JERRY LEON	\$ 3.00
05-13-2014	AGVSU	Attorney General Victim Services Unit	2	MASON, JERRY LEON	\$ 3.00

Date	Code	Description	Count	Party	Amount
05-13-2014	VCA	VICTIMS COMPENSATION ASSESSMENT (AC12)	2	MASON, JERRY LEON	\$ 150.00
05-13-2014	FINE	FINES PAYABLE TO COUNTY	2	MASON, JERRY LEON	\$ 600.00
05-13-2014	CCADMIN	Court Clerk Administrative Fee on Collections	2	MASON, JERRY LEON	\$ 7.00
05-13-2014	COSTF	COURT COSTS ON FELONY	3	MASON, JERRY LEON	\$ 103.00
05-13-2014	DACPAF	DA Council Prosecution Assessment for Felony	3	MASON, JERRY LEON	\$ 25.00
05-13-2014	OCISR	Oklahoma Court Information System Revolving Fund	3	MASON, JERRY LEON	\$ 25.00
05-13-2014	SSFCHS	Sheriff's Service Fee For Court House Security	3	MASON, JERRY LEON	\$ 10.00
05-13-2014	MELRF	Medical Expense Liability Revolving Fund	3	MASON, JERRY LEON	\$ 10.00
05-13-2014	CLEET	CLEET PENALTY ASSESSMENT	3	MASON, JERRY LEON	\$ 9.00
05-13-2014	PFE7	LAW LIBRARY FEE	3	MASON, JERRY LEON	\$ 6.00
05-13-2014	FOREN	Forensic Science Improvement Assessment	3	MASON, JERRY LEON	\$ 5.00
05-13-2014	SSF	SHERIFF'S SERVICE FEE ON ARRESTS	3	MASON, JERRY LEON	\$ 5.00
05-13-2014	AFIS	AFIS Fee	3	MASON, JERRY LEON	\$ 5.00

Date	Code	Description	Count	Party	Amount
05-13-2014	CHAB	C.H.A.B. Statutory Fee	3	MASON, JERRY LEON	\$ 3.00
05-13-2014	AGVSU	Attorney General Victim Services Unit	3	MASON, JERRY LEON	\$ 3.00
05-13-2014	VCA	VICTIMS COMPENSATION ASSESSMENT (AC12)	3	MASON, JERRY LEON	\$ 150.00
05-13-2014	FINE	FINES PAYABLE TO COUNTY	3	MASON, JERRY LEON	\$ 600.00
05-13-2014	CCADMIN	Court Clerk Administrative Fee on Collections	3	MASON, JERRY LEON	\$ 7.00
05-13-2014	COSTF	COURT COSTS ON FELONY	4	MASON, JERRY LEON	\$ 103.00
05-13-2014	DACPAF	DA Council Prosecution Assessment for Felony	4	MASON, JERRY LEON	\$ 25.00
05-13-2014	OCISR	Oklahoma Court Information System Revolving Fund	4	MASON, JERRY LEON	\$ 25.00
05-13-2014	SSFCHS	Sheriff's Service Fee For Court House Security	4	MASON, JERRY LEON	\$ 10.00
05-13-2014	MELRF	Medical Expense Liability Revolving Fund	4	MASON, JERRY LEON	\$ 10.00
05-13-2014	CLEET	CLEET PENALTY ASSESSMENT	4	MASON, JERRY LEON	\$ 9.00
05-13-2014	PFE7	LAW LIBRARY FEE	4	MASON, JERRY LEON	\$ 6.00
05-13-2014	FOREN	Forensic Science Improvement Assessment	4	MASON, JERRY LEON	\$ 5.00

Date	Code	Description	Count	Party	Amount
05-13-2014	SSF	SHERIFF'S SERVICE FEE ON ARRESTS	4	MASON, JERRY LEON	\$ 5.00
05-13-2014	AFIS	AFIS Fee	4	MASON, JERRY LEON	\$ 5.00
05-13-2014	CHAB	C.H.A.B. Statutory Fee	4	MASON, JERRY LEON	\$ 3.00
05-13-2014	AGVSU	Attorney General Victim Services Unit	4	MASON, JERRY LEON	\$ 3.00
05-13-2014	VCA	VICTIMS COMPENSATION ASSESSMENT (AC12)	4	MASON, JERRY LEON	\$ 150.00
05-13-2014	FINE	FINES PAYABLE TO COUNTY	4	MASON, JERRY LEON	\$ 600.00
05-13-2014	CCADMIN	Court Clerk Administrative Fee on Collections	4	MASON, JERRY LEON	\$ 7.00
05-15-2014	CNOTE	DEFENDANT IN DOC CUSTODY AND GIVEN 2 WEEKS TO MAKE A PAYMENT PLAN UPON RELEASE		MASON, JERRY LEON	
05-15-2014	RULE8	Order Of The Court - Rule 8 Hearing <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	
05-15-2014	R&C	Rules & Conditions Of Probation <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	
05-16-2014	J&S	Judgment and Sentence <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>	1	MASON, JERRY LEON	
05-16-2014	RETCP	Return Commitment For Punishment <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	
05-16-2014	PGSF	Plea Of Guilty - Summary Of Facts <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	

Date	Code	Description	Count	Party	Amount
05-19-2014	LT	Letter <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	
05-20-2014	MOWDP	Motion To Withdraw Plea <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	
05-21-2014	CTFREE	JUDGE TOM GILLERT: COURT SIGNED ORDER FOR MOTION TO WITHDRAW PLEA; HEARING SET FOR 6/16/2014 AT 3:00 PM ROOM 406. COMMITMENT ISSUED TO BRING DEFENDANT.		MASON, JERRY LEON	
05-21-2014	LT	Letter <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	
05-27-2014	J&S	Judgment and Sentence <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>	3	MASON, JERRY LEON	
05-27-2014	J&S	Judgment and Sentence <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>	4	MASON, JERRY LEON	
05-27-2014	J&S	Judgment and Sentence <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>	2	MASON, JERRY LEON	
05-28-2014	RETCO	Return Commitment <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	
05-29-2014	TEXT	TRANSCRIPT OF HEARING ON 2-1-2013 RETURNED ON 5-29-2014		MASON, JERRY LEON	
06-02-2014	OH	ORDER FOR HEARING <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	
06-10-2014	EAA	ENTRY OF APPEARANCE <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	
06-11-2014	CTFREE	JUDGE TOM GILLERT ; MOTION TO WITHDRAW PLEA RESET TO 6/12/2014 AT 9:30 AM ROOM 406. DEPUTY NOTIFIED.		MASON, JERRY LEON	

Date	Code	Description	Count	Party	Amount
06-12-2014	CTFREE	JUDGE TOM GILLERT: DEFENDANT PRESENT IN CUSTODY REPRESENTED BY MATTHEW DAY AND ISAIAH PARSONS. STATE REPRESENTED BY NALANI CHING. COURT REPORTER JANA HARRINGTON. CASE CALLED FOR MOTION HEARING TO WITHDRAW PLEA. PARTIES DID NOT ENVOKE THE RULE. DEFENSE CALLED ONE WITNESS. STATE CALLED TWO WITNESSES. BOTH PARTIES MADE ARGUMENT. COURT OVERULED THE MOTION TO WITHDRAW PLEA. DEFENDANT ADVISED OF APPEAL RIGHTS. DEFENDANT REMANDED TO CUSTODY.		MASON, JERRY LEON	
06-17-2014	RETRL	Return Release <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	
06-25-2014	APLI	APPLICATION for determination of indigence <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	
06-25-2014	NOAPP	Notice Of Intent To Appeal <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	
06-25-2014	TEXT	designation of record for appeal form district court <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	
07-01-2014	TEXT	determination of indigence <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	
07-02-2014	RETJS\$	Return Judgment & Sentence <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	\$ 50.00
07-02-2014	OCISR	Oklahoma Court Information System Revolving Fund		MASON, JERRY LEON	\$ 25.00
07-11-2014	CAP	Certificate Of Appeal - #C-2014-576 <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	
08-01-2014	MO	Motion TO DISMISS APPEAL FOR LACK OF JURISDICTION <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	
08-11-2014	LT	Letter <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	

Date	Code	Description	Count	Party	Amount
08-11-2014	MOD	Motion To Dismiss appeal for lack jurisdiction <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	
08-14-2014	APLI	APPLICATION FOR POST CONVICTION RELIEF <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	
09-11-2014	NNCRA	Notice Of Non-Completion - Record On Appeal Have not received the following transcripts; 1) Hearing for June 12, 2014, 2) Sentencing for May 13, 2014, Copies to: Court Of Criminal Appeals, District Attorney, Attorney General and OKLAHOMA INDIGENT DEFENSE SYSTEM. <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	
09-11-2014	AFD	AFFIDAVIT <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	
10-02-2014	O	Order Dismissing appeal <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	
10-08-2014	RESP	Response to petitioners application for post conviction relief <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	
10-20-2014	CTFREE	JUDGE TOM GILLERT: COURT SIGNED ORDER RECOMMENDING PETITIONERS BE DENIED AN APPEAL OUT OF TIME.		MASON, JERRY LEON	
11-03-2014	O	Order recommending petitioner be denied an appeal out of time <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	
11-20-2014	LT	Letter <i>Pursuant to 12 O.S. § 39, Document Available at Court Clerk's Office</i>		MASON, JERRY LEON	

closed
FILED
IN COURT OF CRIMINAL APPEALS
STATE OF OKLAHOMA
SEP 29 2014

SEP 29 2014

RECEIVED
SEP 29 2014 gw
ATTORNEY GENERAL

ATTORNEY GENERAL

CONCUR: Lewis, P.J.; Smith, V.P.J.; Lumpkin, J.; A. Johnson, J.

**IN RE: HABEAS CORPUS OF PHILLIP
HUDSON, JR. v. STATE OF OKLAHOMA**

Petitioner's request for extraordinary relief was denied by the District Court in an order filed August 8, 2014. Petitioner's request for extraordinary relief filed with this Court was due for filing with this Court on or before September 7, 2014, but was not filed until September 15, 2014. Petitioner failed to file the request for extraordinary relief with the Clerk of this Court within thirty (30) days from the filing date of the District Court's order as required by Rule 10.1(C), *Rules of the Oklahoma Court of Criminal Appeals*, Title 22, Ch.18, App. (2014). Petitioner's request was not timely filed. The Court **DECLINES** jurisdiction and **DISMISSES** this matter.

CONCUR: Lewis, P.J.; Smith, V.P.J.; Lumpkin, J.; A. Johnson, J.

JERRY LEON MASON v. STATE OF OKLAHOMA



ORDER DISMISSING APPEAL

Petitioner did not file the Notice of Intent to Appeal and Designation of Record in the District Court within ten (10) days of the date the judgment and sentence was imposed as required by this Court's Rule 2.5(A), *Rules of the Oklahoma Court of Criminal Appeals*, Title 22, Ch.18, App. (2014). Filing of the Notice of Intent to Appeal and Designation of Record is jurisdictional, and failure to timely file constitutes waiver of the right to appeal. Petitioner's appeal is **DISMISSED**. If Petitioner feels he has been denied an appeal through no fault of his own, he may seek the appropriate relief with the District Court. See, Rule 2.1(E)(1), *Rules of the Oklahoma Court of Criminal Appeals*, Title 22, Ch.18, App. (2014). Issuance of this order concludes proceedings before this Court.

CONCUR: Lewis, P.J.; Smith, V.P.J.; Lumpkin, J.; A. Johnson, J.

4 **PC-2014-788** **EUGENE T. FOUST v. STATE OF OKLAHOMA**
 Tulsa County
 Case No. CF-1988-518
 Honorable Tom Gillert
 District Judge

ORDER DECLINING JURISDICTION

Petitioner's request for post conviction relief was denied by the District Court in an order filed August 12, 2014. Petitioner's Petition in Error should have been filed with this Court on or before September 11, 2014, but was not filed until September 12, 2014. Petitioner failed to timely file the Petition in Error with the Clerk of this Court within thirty (30) days from the filing date of the District Court's final order. See, Rule 5.2(C)(2), *Rules of the Oklahoma Court of Criminal Appeals*, Title 22, Ch.18, App. (2014). The Court **DECLINES** jurisdiction and **DISMISSES** this matter. If Petitioner feels he has been denied a post-conviction appeal through no fault of his own, he may seek the appropriate relief with the District Court. See, Rule 2.1(E)(3), *Rules of the Oklahoma Court of Criminal Appeals*, Title 22, Ch.18, App. (2014).

CONCUR: Lewis, P.J.; Smith, V.P.J.; Lumpkin, J.; A. Johnson, J.

5 **PC-2014-789** **EUGENE T. FOUST v. STATE OF OKLAHOMA**
 Tulsa County
 Case No. CF-1988-606
 Honorable Tom Gillert
 District Judge

ORDER DECLINING JURISDICTION

Petitioner's request for post conviction relief was denied by the District Court in an order filed August 12, 2014. Petitioner's Petition in Error should have been filed with this Court on or before September 11, 2014, but was not filed until September 12, 2014. Petitioner

failed to timely file the Petition in Error with the Clerk of this Court within thirty (30) days from the filing date of the District Court's final order. *See*, Rule 5.2(C)(2), *Rules of the Oklahoma Court of Criminal Appeals*, Title 22, Ch.18, App. (2014). The Court **DECLINES** jurisdiction and **DISMISSES** this matter. If Petitioner feels he has been denied a post-conviction appeal through no fault of his own, he may seek the appropriate relief with the District Court. *See*, Rule 2.1(E)(3), *Rules of the Oklahoma Court of Criminal Appeals*, Title 22, Ch.18, App. (2014).

CONCUR: Lewis, P.J.; Smith, V.P.J.; Lumpkin, J.; A. Johnson, J.

6 **C-2014-647**
 Cleveland County
 Case No. CF-2012-1888
 Honorable Lori Walkley
 District Judge

**CHELSEA NICOLE HURST v. STATE OF
OKLAHOMA**

ORDER DISMISSING APPEAL

Petitioner did not file the Notice of Intent to Appeal and Designation of Record in the District Court within ten (10) days of the date the judgment and sentence was imposed as required by this Court's Rule 2.5(A), *Rules of the Oklahoma Court of Criminal Appeals*, Title 22, Ch.18, App. (2014). Filing of the Notice of Intent to Appeal and Designation of Record is jurisdictional, and failure to timely file constitutes waiver of the right to appeal. Petitioner's appeal is **DISMISSED**. If Petitioner feels she has been denied an appeal through no fault of her own, she may seek the appropriate relief with the District Court. *See*, Rule 2.1(E)(1), *Rules of the Oklahoma Court of Criminal Appeals*, Title 22, Ch.18, App. (2014). Issuance of this order concludes proceedings before this Court.

CONCUR: Lewis, P.J.; Smith, V.P.J.; Lumpkin, J.; A. Johnson, J.

7 **OD-2014-711**
 Stephens County
 Case Nos. CF-2012-293
 and CF-2013-92
 Honorable Dennis L. Gay
 Associate District Judge

CARLOS RAY JOY v. STATE OF OKLAHOMA

ORDER DISMISSING APPEAL

Petitioner did not file the Notice of Appeal in the District Court within ten (10) days of the date the order of detention was imposed as required by this Court's Rule 8.8(C), *Rules of the Oklahoma Court of Criminal Appeals*, Title 22, Ch.18, App. (2014). Filing of the Notice of Appeal is jurisdictional, and failure to timely file constitutes waiver of the right to appeal. Petitioner's appeal is **DISMISSED**. If Petitioner feels he has been denied an appeal through no fault of his own, he may seek the appropriate relief with the District Court. *See*, Rule

2.1(E)(1), *Rules of the Oklahoma Court of Criminal Appeals*, Title 22, Ch.18, App. (2014).
Issuance of this order concludes proceedings before this Court.

CONCUR: Lewis, P.J.; Smith, V.P.J.; Lumpkin, J.; A. Johnson, J.

8 **MA-2014-736**
Oklahoma County
Case No. CF-2009-2615
Honorable Jerry Bass
District Judge

**MARTRELL D. POLIN v. DISTRICT COURT
OF OKLAHOMA COUNTY**

ORDER DISMISSING REQUEST AS MOOT

On September 11, 2014, the District Court fully adjudicated Petitioner's complaints regarding the pending matters in this case. Petitioner's request for a Writ of Mandamus is therefore **MOOT** and is **DISMISSED**.

CONCUR: Lewis, P.J.; Smith, V.P.J.; Lumpkin, J.; A. Johnson, J.

9 **MA-2014-799**
Tulsa County
Case No. CF-2000-5424
Honorable William Musseman
District Judge

**ALVIS C. HIGGINS v. STATE OF
OKLAHOMA**

ORDER DISMISSING REQUEST AS MOOT

On August 13, 2014, the District Court fully adjudicated Petitioner's complaints regarding the pending matters in this case. Petitioner's request for a Writ of Mandamus is therefore **MOOT** and is **DISMISSED**.

CONCUR: Lewis, P.J.; Smith, V.P.J.; Lumpkin, J.; A. Johnson, J.


IT IS SO ORDERED.

WITNESS MY HAND AND THE SEAL OF THIS COURT this 29th day
of September, 2014.



DAVID B. LEWIS, Presiding Judge

ATTEST:



Clerk

IN THE DISTRICT COURT IN AND FOR TULSA COUNTY
STATE OF OKLAHOMA

STATE OF OKLAHOMA,

Plaintiff,

vs.

JERRY LEON MASON,

Defendant.

Case No. CF-2012-4414

Judge Gillert

DISTRICT COURT
FILED

AUG 14 2014

SALLY HOWE SMITH, COURT CLERK
STATE OF OKLA. TULSA COUNTY

APPLICATION FOR POST-CONVICTION RELIEF

The Defendant, Jerry Mason, whom is presently in custody, hereby applies for relief under the Post-Conviction Procedure Act, Section 1080 et seq. of Title 22.

The sentence from which Jerry Mason seeks relief is from the Tulsa County District Court case CF-2012-4414. Mr. Mason was sentenced on May 13, 2014 after entering a plea of Nolo Contendere for:

<u>Crime(s)</u>	<u>Statute(s)</u>	<u>Sentence</u>
Rape – 1 st Degree	21 O.S. § 1115	25 years – 18 DOC/7 suspended
Burglary – 1 st Degree	21 O.S. § 1431	25 years – 18 DOC/7 suspended
Rape – 1 st Degree	21 O.S. § 1115	25 years – 18 DOC/7 suspended
Forcible Sodomy	21 O.S. § 888	25 years – 18 DOC/7 suspended

The sentences were ordered to run concurrently with each other before the presiding Judge Gillert. Mr. Mason was represented by the Tulsa County Public Defender at the time of his plea.

On May 20, 2014, Mr. Mason filed a motion to withdraw his plea. Mr. Mason's family hired counsel (Isaiah Parsons and Matthew Day) and a hearing on the motion to

ORIGINAL

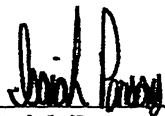


withdraw Mr. Mason's plea was conducted. The court denied Mr. Mason's motion to withdraw his plea on June 12, 2014.

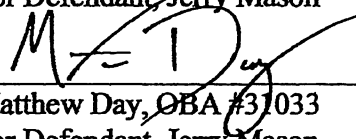
Mr. Mason filed his notice of intent to appeal and designation of record on June 25, 2014. Mr. Mason was given appellate case number C-2014-576. However, the notice of intent to appeal was filed outside of the ten days that Rule 4.2 of the Rules of the Court of Criminal Appeals requires.

Mr. Mason believes that he has a proposition for relief from the conviction and sentence previously described. His proposition is that he was unable to make a decision on whether to appeal in the requisite short amount of time. Mr. Mason was not given adequate time to determine whether to appeal. Mr. Mason's attorney visited him within the ten days required, and Mr. Mason was unable to make up my mind at that time. Mr. Mason ultimately wanted to appeal the case.

Mr. Mason hereby applies to have counsel appointed to represent him. He believes he is entitled to relief. Furthermore, Mr. Mason does not possess any money or property.



Isaiah Parsons, OBA #31181
For Defendant, Jerry Mason



Matthew Day, OBA #31033
For Defendant, Jerry Mason
525 South Main Street, Suite 312
Tulsa, Oklahoma 74103
Telephone: (918) 307-1529



~~Certified copy to Defendant~~

IN THE DISTRICT COURT IN AND FOR TULSA COUNTY
STATE OF OKLAHOMA

STATE OF OKLAHOMA,

Plaintiff, Respondent,

vs.

JERRY LEON MASON,

Defendant, Petitioner.

Case No. CF-2012-4414
Judge Gillert

DISTRICT COURT
FILED

NOV 03 2014

SALLY HOWE SMITH, COURT CLERK
STATE OF OKLA. TULSA COUNTY

**ORDER RECOMMENDING PETITIONER BE DENIED AN APPEAL
OUT OF TIME**

This matter comes on for consideration of the Petitioner's "Application for Post-Conviction Relief" wherein the Petitioner requests an appeal out of time. The Court has reviewed the Petitioner's Application, the State's Response thereto, and the docket sheet in this matter. The Court being fully advised in the premises and concerns finds as a matter of facts and conclusions of law as follows:

The matter under consideration does not present any genuine issue of material fact requiring a formal hearing with the presentation of witnesses and the taking of testimony. *Johnson v. State*, 1991 OK CR 124, 823 P.2d 370. The matter will therefore be decided based on the records the Court has stated it has reviewed.

HISTORY OF PETITIONER'S CASE

Petitioner was charged by an information filed in the District Court on October 3, 2012 with the following offenses:

- 1) Rape-1st Degree
- 2) Burglary-First Degree

ORIGINAL



3) Rape-1st Degree

4) Rape-1st Degree

On May 13, 2014 the Petitioner was present, in open court, and represented by Brian Rayl with the Public Defender's Office. The Petitioner was sworn in open court, entered pleas on nolo contendere to counts one (1), two (2), and three (3) as filed as well as count four (4) which had been amended to the offense of forcible sodomy. The Petitioner waived his right to jury and non-jury trial. The Court accepts the Petitioner's pleas of guilty and found the defendant guilty in each count. The Court sentenced the Petitioner in each of count one (1), two (2), three (3), and (4) to twenty five years, with the first eighteen (18) years to be served in the Department of Corrections, and the last seven years to be suspended. Additionally, the Court imposed a \$600.00 fine in count.

The court ordered each of the counts to run concurrent with the other. The Petitioner was advised of his appeal rights. On May 20, 2014 the Petitioner filed a "Motion to Withdraw Plea." On May 21, 2014 the Court signed an Order setting the Motion to Withdraw Plea for hearing on June 16, 2014. On June 11, 2014 the Court reset the hearing on the Petitioner's Motion to Withdraw Plea to June 12, 2014. On June 12, 2014, the Petitioner was present in open court and represented by Matthew Day and Isaiah Parsons. The Petitioner's case was called for hearing on his Motion to Withdraw Plea. A hearing was held where the defense presented the testimony of one witness, and the state presented the testimony of two witnesses. After parties rested, and hearing the argument of both parties, the court overruled the motion to withdraw plea. The Petitioner was advised of his appeal rights.

On June 25, 2014 the Petitioner filed an "Application for Determination of Indigence" and a "Designation of Record for Appeal From District Court." On July 11, 2014 the Petitioner was granted certificate of appeal number C-2014-576. On August 14, 2014 the Petitioner filed an "Application for Post-Conviction Relief" in the District Court. On October 2, 2014 the District Court filed an "Order Declining Jurisdiction" from the Oklahoma Court of Criminal Appeals.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

In Petitioner's "Application for Post-Conviction Relief" the Petitioner states that while his "...notice of intent to appeal was filed outside of the ten days that Rule 4.2 of the Rules of the Court of Criminal Appeals requires..." this was due to Petitioner's inability to make the decision to appeal "...in the requisite short amount of time." Petitioner further argues he was "...not given adequate time to determine whether to appeal..." and was unable to "...make up (his) mind..."

The Court finds that Petitioner's indecision over whether to appeal from this court's denial of his Motion to Withdraw Plea does not constitute a unique circumstance such as to warrant the granting of an appeal out of time. The Petitioner was aware of the time period within which he was required to commence an appeal. Since there are no facts to show that the Petitioner was denied an appeal through no fault of his own, the Court recommends that the Petitioner's request for an appeal out of time be denied.

IT IS THEREFORE the recommendation of the Court that the Petitioner's request for an appeal out of time be denied.

SO ORDERED this 20 day of

Briefs, Responses, Replies, etc.4:15-cv-00167-GKF-TLW Mason v. McCollum**U.S. District Court****U.S. District Court for the Northern District of Oklahoma****Notice of Electronic Filing**

The following transaction was entered by Slayton, Diane on 6/26/2015 at 12:15 PM CDT and filed on 6/26/2015

Case Name: Mason v. McCollum
Case Number: 4:15-cv-00167-GKF-TLW
Filer: Tracy McCollum
Document Number: 11

Docket Text:

RESPONSE in Opposition to Motion (Re: [3] Amended PETITION for Writ of Habeas Corpus - 2254) by Tracy McCollum ; (With attachments) (Slayton, Diane)

4:15-cv-00167-GKF-TLW Notice has been electronically mailed to:

Diane L Slayton fhc.docket@oag.ok.gov, diane.slayton@oag.ok.gov

4:15-cv-00167-GKF-TLW Notice has not been electronically mailed to:

Jerry Leon Mason
#124786
Oklahoma State Reformatory
PO BOX 514
GRANITE, OK 73547

The following document(s) are associated with this transaction:

Document description:Main Document**Original filename:**n/a**Electronic document Stamp:**

[STAMP dcecfStamp_ID=1058978411 [Date=6/26/2015] [FileNumber=1706062-0]
] [cd2a6490afc89be0709b792a6b475596110c03d7ca2df3b19953d896105634e2d7a
914457b4504488ed174237a5861b25cb0e4ab494c321937dd2ccbdbc771d9]]

Document description:Exhibit 1 - Plea of Guilty - Summary of Facts**Original filename:**n/a**Electronic document Stamp:**

[STAMP dcecfStamp_ID=1058978411 [Date=6/26/2015] [FileNumber=1706062-1]
] [bf7674edb0cc53ae00e8580c2b7abac461c1b78c31e2c0f4ff695074156c3038f49
137421df8d65c071d57cd89afa910aef7cf1e850a030c9d9978baa14c0e5d]]

Document description:Exhibit 2 - Tulsa County Case CF-2012-4414, docket sheet**Original filename:**n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1058978411 [Date=6/26/2015] [FileNumber=1706062-2]
] [c22994c177651227856292290ce6d19fef57acec3a11c91a15025fd146d974d310
fcb8ff0204444b37da7cd04e22c9e26b0ef4dee5566e26dc42d623550faac]]

Document description:Exhibit 3 - Motion to Dismiss Appeal

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1058978411 [Date=6/26/2015] [FileNumber=1706062-3]
] [42744a0b05abb190068ec8ce2a285a2966294bfl337aae33a76be264a6fc6eea34b
a90259aefd9a97e6c30cb14c4dc78b339c67143cc062024922814df8109e3]]

Document description:Exhibit 4 - Order Dismissing Appeal

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1058978411 [Date=6/26/2015] [FileNumber=1706062-4]
] [0cf61393ccf4d87f6a5459f88cec08ecb219a35559d2659aa61745ed96060117ab4
db80e48cbab0e365fc4e5bf49bfl8936b3190274f6d0ad7e98653a819abf7]]

Document description:Exhibit 5 - Application for PC Relief

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1058978411 [Date=6/26/2015] [FileNumber=1706062-5]
] [6f937597de23eccc16eeb427ba6a47efd3821249f1b7adc4fc112da941bdb6c6a98
7518d056549751e8bdd46a6721e19b52d0d71ab801aaac4908d281789e351]]

CMECF.widgit.ProcessingWindowDestroy() ONG>Document description:Exhibit 6 - Order
Recommending Petition be Denied an Appeal Out of Time

Original filename:n/a

Electronic document Stamp:

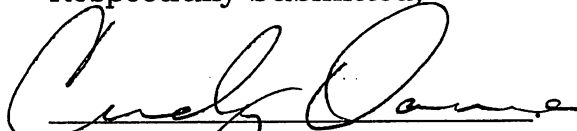
[STAMP dcecfStamp_ID=1058978411 [Date=6/26/2015] [FileNumber=1706062-6]
] [2a290871edd79845fd6e2bad1d12688731dc8a7b215cc0fed4e1a42e9e337b8204a
2021b49653a6b080313b0000bceb8177b9d19d3013275d2484e5ccce074fc]]

concurrently, with the last seven years of the sentence to be suspended.

3. A Motion to Withdraw Plea was filed May 20, 2014, and denied on June 12, 2014.
4. The written Notice of Intent to Appeal and Designation of Record were filed in the district court on June 25, 2014, and in this Court on July 3, 2014. These documents were due to be filed no later than June 23, 2014, due to the weekend.
5. The Oklahoma Indigent Defense System was appointed to represent Mr. Mason in his appeal on June 30, 2014.

Because the Notice of Intent to Appeal and Designation of Record were not timely filed in the district court, this Court is requested to dismiss the appeal in this case, without prejudice to any legal issues that may be raised should an appeal out of time be sought and granted.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Cindy Danner", written over a horizontal line.

Cindy Danner

OBA # 12583

Chief, General Appeals Division

Oklahoma Indigent Defense System

PO Box 926

Norman, OK 73070-0926

(405)801-2727

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

Jerry Leon Mason

Plaintiff/Petitioner

vs.

State of Oklahoma

Defendant(s)/Respondent(s)

Case Number: 15-CV-167-GKF-TLW

(To be supplied by Court Clerk)

APPLICATION TO PROCEED WITHOUT PREPAYMENT OF FEES AND AFFIDAVIT

I, Jerry Leon Mason declare that I am the (check appropriate box)

☒ petitioner/plaintiff/movant ☐ other

in the above-entitled proceeding; that in support of my request to proceed without prepayment of fees or costs under 28 USC §1915 I declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief sought in the complaint/petition/motion.

In support of this application, I answer the following questions under penalty of perjury:

1. Are you currently incarcerated? ☒ Yes ☐ No (If "No," go to Part 2)

If "Yes," state the place of your incarceration. O.S.R.

Are you employed at the institution? no Do you receive any payment from the institution? no

Attach a ledger sheet from the institution(s) of your incarceration showing at least the past six months' transactions.

2. Are you currently employed? ☐ Yes ☒ No

a. If the answer is "Yes," state the amount of your take-home salary or wages and pay period and give the name and address of your employer.

b. If the answer is "No," state the date of your last employment, the amount of your take-home salary or wages and pay period and the name and address of your last employer.

3. In the past 12 twelve months have you received any money from any of the following sources?

- a. Business, profession or other self-employment
- b. Rent payments, interest or dividends
- c. Pensions, annuities or life insurance payments
- d. Disability or workers compensation payments
- e. Gifts or inheritances
- f. Any other sources

☐ Yes
☐ Yes
☐ Yes
☐ Yes
☐ Yes
☐ Yes

☒ No
☒ No
☒ No
☒ No
☒ No
☒ No

RECEIVED

APR 14, 2015

Oklahoma State Reformatory
Trust Fund

Rebecca Adams

If the answer to any of the above is "Yes," describe, on the following page, each source of money and state the amount received and what you expect you will continue to receive.

4. Do you have **any** cash or checking or savings accounts? ☐ Yes ☒ No

If "Yes," state the total amount. N/A

5. Do you own any real estate, stocks, bonds, securities, other financial instruments, automobiles or any other thing of value? ☐ Yes ☒ No

If "Yes," describe the property and state its value.

N/A

6. List the persons who are dependent on you for support, state your relationship to each person and indicate how much you contribute to their support.

N/A

I declare under penalty of perjury that the above information is true and correct.

4-13-15

Date

Jeep Mason

Signature of Applicant

NOTICE TO PRISONER: In addition to the foregoing statement of all assets, a prisoner seeking to proceed without prepayment of fees shall submit the attached "Statement of Institutional Accounts," completed and signed by an appropriate institutional officer. A prisoner is also required to attach a ledger sheet for each institutional account showing all receipts, expenditures, and balances for the last 6-month period.

RECEIVED

APR 14, 2015

Oklahoma State Reformatory
Trust Fund

Deborah Adams

STATEMENT OF INSTITUTIONAL ACCOUNTS

I hereby state that on 14th day of April, 20 15 this prisoner had \$ 123.84
in his/her draw account and \$ 18.01 in his/her savings account.

A ledger sheet for this prisoner's trust account (or institutional equivalent) for the preceding six month period, or for the entire period of confinement if less than six months, is attached.

4-14-15
Date

Reborah Adams
Authorized Prison Official

Accounting Technician III /
Title Trust Fund Officer

RECEIVED

APR 14, 2015

Oklahoma State Reformatory
Trust Fund

Reborah Adams

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

Jerry Leon Mason

Plaintiff/Petitioner

vs.

State of Oklahoma

Defendant(s)/Respondent(s)

Case Number: 15-CV-167-GKF-TLW

(To be supplied by Court Clerk)

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b. If the answer is "No," state the date of your last employment, the amount of your take-home salary or wages and pay period and the name and address of your last employer.

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- b. Rent payments, interest or dividends
- c. Pensions, annuities or life insurance payments
- d. Disability or workers compensation payments
- e. Gifts or inheritances
- f. Any other sources

☐ Yes
☐ Yes
☐ Yes
☐ Yes
☐ Yes
☐ Yes

☒ No
☒ No
☒ No
☒ No
☒ No
☒ No

RECEIVED

APR 14, 2015

Oklahoma State Reformatory
Trust Fund

Rebecca Adams

If the answer to any of the above is "Yes," describe, on the following page, each source of money and state the amount received and what you expect you will continue to receive.

4. Do you have **any** cash or checking or savings accounts? ☐ Yes ☒ No

If "Yes," state the total amount. N/A

5. Do you own any real estate, stocks, bonds, securities, other financial instruments, automobiles or any other thing of value? ☐ Yes ☒ No

If "Yes," describe the property and state its value.

N/A

6. List the persons who are dependent on you for support, state your relationship to each person and indicate how much you contribute to their support.

N/A

I declare under penalty of perjury that the above information is true and correct.

4-13-15

Date

Joseph Mason

Signature of Applicant

NOTICE TO PRISONER: In addition to the foregoing statement of all assets, a prisoner seeking to proceed without prepayment of fees shall submit the attached "Statement of Institutional Accounts," completed and signed by an appropriate institutional officer. A prisoner is also required to attach a ledger sheet for each institutional account showing all receipts, expenditures, and balances for the last 6-month period.

RECEIVED

APR 14, 2015

Oklahoma State Reformatory
Trust Fund

Deborah Adams

OFFENDER'S REQUEST FOR DISBURSEMENT OF LEGAL COSTS

I, Jerry Mason, 124726, request the following for the
(Print Name) (DOC Number)
purpose of securing legal redress per OP-030115: 1-2-18

_____ copies of the attached document, ☐ Legal Documents ☐ Legal Resource Center

Federal Petition in Error - Northern District
(Description)

_____ copies of each of the _____ originals.

Total copies requested _____ x 25¢ each page: _____

_____ #10 plain white envelope(s), no return address, at 10¢ each _____

/ Manila envelope(s), at 25¢ each 25

/ First class postage 1.40

_____ Certified services to document initial filing in court _____

_____ Printing from computers at 25¢ per page _____

_____ Notary service, at \$1.00 per notarization _____

DISBURSEMENT TOTAL - \$ 1.65

I understand that in accordance with OP-030115, I will be charged for the above amounts and that this is also a request for disbursement of funds from my trust fund draw account. If I do not have enough funds to cover the costs related to court-imposed or rule-imposed deadlines, the amount will be collected as soon as funds become available.

Jerry Mason 4-1-15
Offender's Signature/Date/Time

[Signature] 4/1/15 10:30
Law Library Supervisor's Signature/Date/Time.

Date the requested services/items were provided: _____

Date the requested services/times were rejected and, if applicable, material returned to the requesting offender. If rejected, state why for each service/item: _____

[Signature]
Law Library Supervisor Signature

4/6/15 - 10:30
Date/Time

Trust Fund Officer: \$ 1.65

Withdrawn from trust fund draw account

\$ _____

Balance due, to be collected as soon as funds become available in trust fund draw account (account debited) 4-7-15

[Signature]
Signature of Trust Fund Officer

Date/Time

Original: Trust Fund Officer
1st Copy: Offender
2nd Copy: Law Library Files

DOC 030115A (R 1/15)

OFFENDER'S REQUEST FOR DISBURSEMENT OF LEGAL COSTS

02-18

I, Jerry Mason, 124786, request the following for the
(Print Name) (DOC Number)
purpose of securing legal redress per OP-030115:

_____ copies of the attached document, ☐ Legal Documents ☐ Legal Resource Center

4.10.15 CORRECTIONS IN THE DISTRICT COURT
(Description)

_____ copies of each of the _____ originals.

Total copies requested _____ x 25¢ each page: _____

_____ #10 plain white envelope(s), no return address, at 10¢ each _____

1 Manila envelope(s), at 25¢ each .25

1 First class postage 1.82

_____ Certified services to document initial filing in court _____

_____ Printing from computers at 25¢ per page _____

_____ Notary service, at \$1.00 per notarization _____

DISBURSEMENT TOTAL - \$ 2.07

I understand that in accordance with OP-030115, I will be charged for the above amounts and that this is also a request for disbursement of funds from my trust fund draw account. If I do not have enough funds to cover the costs related to court-imposed or rule-imposed deadlines, the amount will be collected as soon as funds become available.

Jerry Mason 4/13/15 4/13/15 - 12:40
Offender's Signature/Date/Time Law Library Supervisor's Signature/Date/Time

Date the requested services/items were provided: _____

4/14/15

Date the requested services/times were rejected and, if applicable, material returned to the requesting offender. If rejected, state why for each service/item: _____

4/15/15 7:30
Law Library Supervisor Signature Date/Time

Trust Fund Officer: \$ 2.07 Withdrawn from trust fund draw account

\$ _____ Balance due, to be collected as soon as funds become available in trust fund draw account (account debited) 4/16/15

Signature of Trust Fund Officer

Date/Time

Original: Trust Fund Officer
1st Copy: Offender
2nd Copy: Law Library Files

DOC 030115A (R 1/15)

OFFENDER'S REQUEST FOR DISBURSEMENT OF LEGAL COSTS

D-2-18

I, Jerry Mason, 124786, request the following for the
(Print Name) (DOC Number)
purpose of securing legal redress per OP-030115:

_____ copies of the attached document, ☐ Legal Documents ☐ Legal Resource Center

Federal Petition in Error - Northern District
(Description)

_____ copies of each of the _____ originals.

Total copies requested _____ x 25¢ each page: _____

_____ #10 plain white envelope(s), no return address, at 10¢ each _____

1 Manila envelope(s), at 25¢ each 25

1 First class postage 1.40

_____ Certified services to document initial filing in court _____

_____ Printing from computers at 25¢ per page _____

_____ Notary service, at \$1.00 per notarization _____

DISBURSEMENT TOTAL - \$ 1.65

I understand that in accordance with OP-030115, I will be charged for the above amounts and that this is also a request for disbursement of funds from my trust fund draw account. If I do not have enough funds to cover the costs related to court-imposed or rule-imposed deadlines, the amount will be collected as soon as funds become available.

Jerry Mason 4-1-15
Offender's Signature/Date/Time

PSJ 4/1/15 12:30
Law Library Supervisor's Signature/Date/Time

Date the requested services/items were provided: _____

Date the requested services/times were rejected and, if applicable, material returned to the requesting offender. If rejected, state why for each service/item: _____

PSJ
Law Library Supervisor Signature

4/6/15 - 10:30
Date/Time

Trust Fund Officer: \$ 1.65

Withdrawn from trust fund draw account

\$ _____

Balance due, to be collected as soon as funds become available in trust fund draw account (account debited) 4-7-15

D. Adams
Signature of Trust Fund Officer

Date/Time

Original: Trust Fund Officer
1st Copy: Offender
2nd Copy: Law Library Files

DOC 030115A (R 1/15)

OFFENDER'S REQUEST FOR DISBURSEMENT OF LEGAL COSTS

0-2-18

I, Jerry Mason, 124786, request the following for the
(Print Name) (DOC Number)
purpose of securing legal redress per OP-030115:

_____ copies of the attached document, ☐ Legal Documents ☐ Legal Resource Center

HABEAS CORPUS UNITED STATES DISTRICT COURT
(Description)

_____ copies of each of the _____ originals.

Total copies requested _____ x 25¢ each page: _____

_____ #10 plain white envelope(s), no return address, at 10¢ each _____

1 Manila envelope(s), at 25¢ each .25

1 First class postage 1.82

_____ Certified services to document initial filing in court _____

_____ Printing from computers at 25¢ per page _____

_____ Notary service, at \$1.00 per notarization _____

DISBURSEMENT TOTAL - \$ 2.07

I understand that in accordance with OP-030115, I will be charged for the above amounts and that this is also a request for disbursement of funds from my trust fund draw account. If I do not have enough funds to cover the costs related to court-imposed or rule-imposed deadlines, the amount will be collected as soon as funds become available.

Jerry Mason 4-13-15 12:30pm [Signature] 4/13/15-12:40
Offender's Signature/Date/Time Law Library Supervisor's Signature/Date/Time

Date the requested services/items were provided: _____ YAS 4/14/15

Date the requested services/times were rejected and, if applicable, material returned to the requesting offender. If rejected, state why for each service/item: _____

[Signature] 4/15/15-7:30
Law Library Supervisor Signature Date/Time

Trust Fund Officer: \$ 207 Withdrawn from trust fund draw account

\$ _____ Balance due, to be collected as soon as funds become available in trust fund draw account (account debited) 4-16-15

DA _____
Signature of Trust Fund Officer Date/Time

Original: Trust Fund Officer
1st Copy: Offender
2nd Copy: Law Library Files

DEPARTMENT OF CORRECTIONS

REQUEST FOR DISBURSEMENT

No. 02-18

PAYEE:

united state District court for the
northern District of California
333 west fourth street room 411

AUTHORIZED BY:

☒ TRUST FUND OFFICER
☐ CANTEEN OFFICER
☐ PETTY CASH OFFICER

DATE 20

SIGNATURE

CASHIER

CHECK NO.

FOR:

northern District filing fee of \$5.00
for, JERRY LEON MASON

INMATE APPROVAL:

Don Deon Mason

SIGNATURE

NUMBER

124736

INMATE REQUEST APPROVED BY:

SIGNATURE

BADGE NUMBER

WHITE - CASHIER

YELLOW - AUTHORIZING OFFICER

PINK - ORIGINATOR

DOC 124010

CERTIFICATE OF MAILING

I certify that on the date of filing, a certified copy of the above and foregoing Order was placed in the United States Mail with sufficient postage affixed thereto, addressed to:

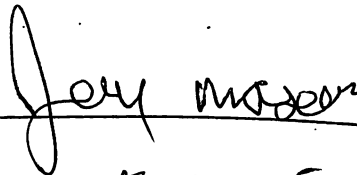
Jerry L. Mason, #124786
Oklahoma State Reformatory
P.O. Box 514
Granite, OK 73547

Isaiah Parsons, Esq.
Matthew Day, Esq.
525 South Main Street, Suite 312
Tulsa, OK 74103
Counsel for Petitioner

**SALLY HOWE-SMITH
TULSA COUNTY COURT CLERK**

BY: 

DEPUTY COURT CLERK



7-6-15

JERRY L. MASON #124786
UNIT-D cell-218
O.S.R. P.C. BOX 574
CRANFLE, OK 73547



Personal
7/9/16
gc

RECEIVED

JUL 9 2015

Phil Lombardi, Clerk
U.S. DISTRICT COURT

15-0167-GKC-TW

Clerk, United States
District Court
Northern District of
Oklahoma 333 West
Fourth Street Room 411
Tulsa, Oklahoma

74103-3819

